



JC06 Rec'd PCT/PTO 17 OCT 2005

FORM PTO-999 (REV. 01-2003) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER KLBS0005-100
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/535,280
INTERNATIONAL APPLICATION NO. PCT/GB2003/005035	INTERNATIONAL FILING DATE 18 Nov 2003 (18.11.2003)	PRIORITY DATE CLAIMED 18 Nov 2002 (18.11.2002)
TITLE OF INVENTION HISTONE DEACETYLASE INHIBITORS		
APPLICANT(S) FOR DO/EO/US Simon Joel; Charles Marson; and Pascal Savy		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none">1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> has been communicated by the International Bureau.c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto.b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> have been communicated by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input type="checkbox"/> have not been made and will not be made.8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none">11. <input checked="" type="checkbox"/> An information Disclosure Statement under 37 CFR 1.97 and 1.98.12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.13. <input type="checkbox"/> A FIRST preliminary amendment.14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.15. <input type="checkbox"/> A substitute specification.16. <input type="checkbox"/> A change of power of attorney and/or address letter.17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).20. <input checked="" type="checkbox"/> Other items or information: Forms PTO SB/08A and SB/08B (4pp.); (34) References Cited, (32) References Enclosed.		

INTERNATIONAL APPLICATION NO. PCT/GB2003/005035	INTERNATIONAL FILING DATE 18 Nov 2003 (18.11.2003)	ATTORNEY'S DOCKET NUMBER KLBS0005-100
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☐ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1060.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$900.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$750.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$720.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).....\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$18.00	\$	0.00
Independent claims	- 3 =	0	x \$84.00	\$	0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$	0.00
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))				\$	0.00
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded:	\$
				charged:	\$

CALCULATIONS PTO USE ONLY

a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

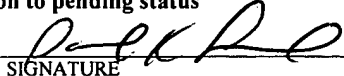
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1275. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status

SEND ALL CORRESPONDENCE TO:

Cozen O'Connor, P.C.
 1900 Market Street
 Philadelphia, PA 19103-3508
 (215) 665-6914 - Telephone
 (215) 665-2013 - Facsimile



SIGNATURE
 Paul K. Legaard, Ph.D.
 NAME
 38,534
 REGISTRATION NUMBER

DOCKET NO: KLBS0005-100

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Joel, Marson and Savy

Serial No.: 10/535,280

Group Art Unit: To Be Determined

Filing Date: Herewith

Examiner: To Be Determined

For: Histone Deacetylase Inhibitors

I certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA, 22313-1450.

On 19 October 2005


Paul K. Legaard, Ph.D., Registration No. 38,534

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO Forms SB/08A and SB/08B, formerly known as PTO Form 1449, submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the patent application.
- ☐ within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application.
- ☒ before the mailing date of a first Office Action on the merits.

- ☐ before the mailing date of a first Office Action on the merits after the filing of a Request for Continued Examination under § 1.114.
- ☐ after the mailing date of a first Office Action on the merits or after the filing of a Request for Continued Examination under § 1.114, but before the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, and accordingly is accompanied by:
- ☐ the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below);
- or
- ☐ the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p); or
- ☐ No fee is owed by the applicant(s).
- ☐ In accordance with 37 C.F.R. § 1.129(a), this Information Disclosure Statement is being filed in connection with the ☐ first or ☐ second After Final Submission, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below) and the fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p), is attached.
- ☐ after the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before, or simultaneously with, the payment of the Issue Fee, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e), and the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p).
- ☒ Copies of the references listed (except the U.S. Patent Documents) on the attached PTO Forms SB/08A and SB/08B, formerly known as PTO Form 1449, are enclosed.

EXCEPT THAT:

- ☐ In view of the voluminous nature of references, and the likelihood that these reference are available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) _____ for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Statement under 37 C.F.R. § 1.97(e)

- ☐ The undersigned attorney hereby states that each item information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

Statement under 37 C.F.R. § 1.704(d)

- ☐ The undersigned attorney hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and the communication was not received by any individual designated in § 1.56(c) more than 30 days prior to the filing of the Information Disclosure Statement.

Fees

- ☒ No Fee is owed by the applicant(s).
- ☐ The Information Disclosure Statement Fee of \$180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.
- ☐ The Petition Fee of \$130.00 under 37 C.F.R. § 1.17(i)(1) is enclosed herewith.

Method of Payment of Fees

- ☐ Attached is a check in the amount of \$_____. This form is submitted in duplicate.
- ☐ Charge Deposit Account No. 50-1275 in the amount of \$180.00. This form is submitted in duplicate.
- ☒ Please charge any deficiency or credit any overpayment to Deposit Account 50-1275.
- ☐ No fee or Statement is required under 37 C.F.R. § 1.97(b).

Respectfully submitted,



Paul K. Legaard, Ph.D.
Registration No. 38,534

Dated: 14 October 2005

COZEN O'CONNOR, P.C.
1900 Market Street, 5th Floor
Philadelphia, PA 19103-3508
(215) 665-2000 – Telephone
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 4

Complete if Known

Application Number	10/535,280
Filing Date	Herewith
First Named Inventor	Simon Joel
Art Unit	To Be Determined
Examiner Name	To Be Determined
Attorney Docket Number	KLBS0005-100

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	AA	US-4,013,776	03-22-1977	Lafon	
	AB	US-2002/103192 A1	08-01-2002	Curtin et al.	
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date/Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	AC	WO 02/046129	06-13-2002	Abbott Lab.		
	AD	WO 02/076941	10-03-2002	Circagen Phrm.		
	AE	WO 02/055688	07-18-2002	U.S. Gov.		
	AF	WO 02/15921	02-28-2002	U.S. Gov.		
	AG	WO 02/08273	01-31-2002	Millennium Phrm.		
	AH	WO 02/069947	09-12-2002	Methylgene		
	AI	WO 02/062773	08-15-2002	F. Hoffmann-LA		
	AJ	WO 02/060430	08-08-2002	Cornell Research		
	AK	WO 02/50285	06-27-2002	Novartis		
	AL	WO 02/50244	06-27-2002	ISIS Pharm.		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	2	of	4
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Complete if Known

Application Number	10/535,280
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<i>Filing Date</i>	Herewith
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First Named Inventor	Simon Joel
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Art Unit	To Be Determined
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Examiner Name	To Be Determined
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Attorney Docket Number	KLBS0005-100
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[illegible]

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date/Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	AM	WO 02/36783	05-10-2002	Bayer		
	AN	WO 02/30970	04-18-2002	Bayer		
	AO	WO 01/42437	06-14-2001	Axys Phrm.		
	AP	WO 02/07722	01-31-2002	Georg-Speyer-Haus		
	AQ	WO 01/67107	09-13-2001	Imperial College		
	AR	WO 01/38322	05-31-2001	Methylgene		
	AS	WO 01/70675	09-27-2001	Methylgene		
	AT	GB 2101600	01-19-1983	Montedison		

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ² Applicant's unique citation designation number (optional). ³ See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 3 of 4

Complete if Known

Application Number	10/535,280
Filing Date	Herewith
First Named Inventor	Simon Joel
Art Unit	To Be Determined
Examiner Name	To Be Determined
Attorney Docket Number	KLBS0005-100

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AU	Marks et al., "Histone deacetylase inhibitors: inducers of differentiation or apoptosis of transformed cells," <i>Journal of the National Cancer Institute</i> (2000) 92(15):1210-1216.	
	AV	Marks et al., "Histone deacetylases and cancer: causes and therapies," <i>Nat Rev Cancer</i> (2001) 1(3):194-202.	
	AW	Ma et al., "The synthesis of diencarbamates as adept prodrug models," <i>Synthetic Communications</i> (1997) 24(14):2445-2454.	
	AX	Cass et al., "On the preparation and rearrangement of some vinylic sulphoxides," <i>Journal of the Chemical Society</i> (1991) No. 11, pp. 2683-2686.	
	AY	Gourdie et al., "DNA-directed alkylating agents. 1. Structure-activity relationships for acridine-linked aniline mustards: consequences of varying the reactivity of the mustard," <i>Journal of Medicinal Chemistry</i> (1990) 33(4):1177-1186.	
	AZ	Flemming et al., "gamma-Sulphenylation of α,β -unsaturated aldehydes, ketones, and esters: the use of 0-silylated dienolates," <i>Tetrahedron Letters</i> (1979) No. 34, pp. 3205-3208.	
	BA	Cai et al., "CD exciton chirality method. New red-shifted chromophores for hydroxyl groups," <i>Journal of the American Chemical Society</i> (1993) 115(16):7192-7198.	
	BB	Barrett et al., "Total synthesis of (+)-milbemycin β_3 ," <i>Journal of Organic Chemistry</i> (1986) 51(25):4840-4856.	
	BC	Bunce et al., "Functionalised carbocycles by tandem dealkoxycarbonylation-Michael addition reactions," <i>Journal of Organic Chemistry</i> (1993) 58(25):7143-7148.	
	BD	Database Accession No. 1969:37237 Caplus Abstract.	
	BE	Kalgutkar et al., "Covalent modification of cyclooxygenase-2 (COX-2) by 2-acetoxyphenyl alkyl sulfides, a new class of selective COX-2 inactivators," <i>Journal of Medicinal Chemistry</i> (1998) 41(24):4800-4818.	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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Sheet 4 of 4

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First Named Inventor	Simon Joel
Art Unit	To Be Determined
Examiner Name	To Be Determined
Attorney Docket Number	KLBS0005-100

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BF	Cowart et al., "Nitroaromatic amino acids as inhibitors of neuronal nitric oxide synthase," <i>Journal of Medicinal Chemistry</i> (1998) 41(14):2636-2642.	
	BG	Dannhardt et al., "[2-Aryl-pyrrolo[2,1-b]benzothiazoles as a selective or dual inhibitors of cyclo-oxygenases and 5-lipoxygenases. 21. Non-steroidal anti-inflammatory agents]," <i>Die Pharmazie</i> (1997) 52(6):428-436. (German)	
	BH	Yoshida et al., "Potent and specific inhibition of mammalian histone deacetylase both in vivo and in vitro by trichostatin A.," <i>Journal of Biological Chemistry</i> (1990) 265(28):17174-17179.	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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